



State of Michigan



Department of Environmental Quality



Environmental Justice Working Group July 1, 2008

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Executive Directive 2007 -23

- **DEQ to develop “state environmental justice plan”**
- **Grew out of 2006 recommendations of DEQ Environmental Advisory Council**
- **“Actively solicit public involvement”**
- **“environmental justice working group of state officials and members of the public to assist”**



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A Brief History of Environmental Justice

Bryce Feighner, Air Quality Division

Defining Moments in the History of Environmental Justice

- **12th Century C.E. - St. Francis**
- **1964 - Civil Rights Act**
- **1960s and 1970s – Environmental Awareness and Activism**
- **1982 – Warren County, North Carolina**

Defining Moments in the History of Environmental Justice

- **1982 – Warren County, North Carolina**
 - “Environmental Justice” was a term used to describe the 1982 struggle over a PCB landfill that was to be located in a predominantly African American community (“Environmental Racism”).



Environmental Racism

- **Environmental Racism** is a term that encompasses the belief that racism, whether intentional or not, underlies the variation in the distribution of environmental pollution.



Defining Moments in the History of Environmental Justice

- **1987 – Study on Toxic Waste and Race in the United States – United Church of Christ**
 - Race was the most significant factor in determining where waste facilities were located.

Environmental Racism



Defining Moments in the History of Environmental Justice

- **1990 – Michigan Conference on Race and Incidence of Environmental Hazards**
 - Dr. Bunyan Bryant, Dr. Paul Mohai
 - Conference gave national visibility to the public debate on environmental racism and served as a catalyst for residents of polluted communities to organize.

Defining Moments in the History of Environmental Justice

- **1991 – People of Color Environmental Leadership Summit Principles (in part)**
 - Earth is sacred
 - Sustainability
 - Environmental self-determination
 - Fair access to resources

Defining Moments in the History of Environmental Justice

- February 11, 1994 - **Executive Order** from President Clinton
- **U.S. EPA** and all federal agencies must develop **Environmental Justice** strategies to identify and address disproportionately high and adverse health effects of their programs, policies, and activities on minority and low-income populations. EPA includes vulnerable and sensitive populations in their list of populations when considering impacts of regulations. EPA includes stakeholders in the rule-making process.



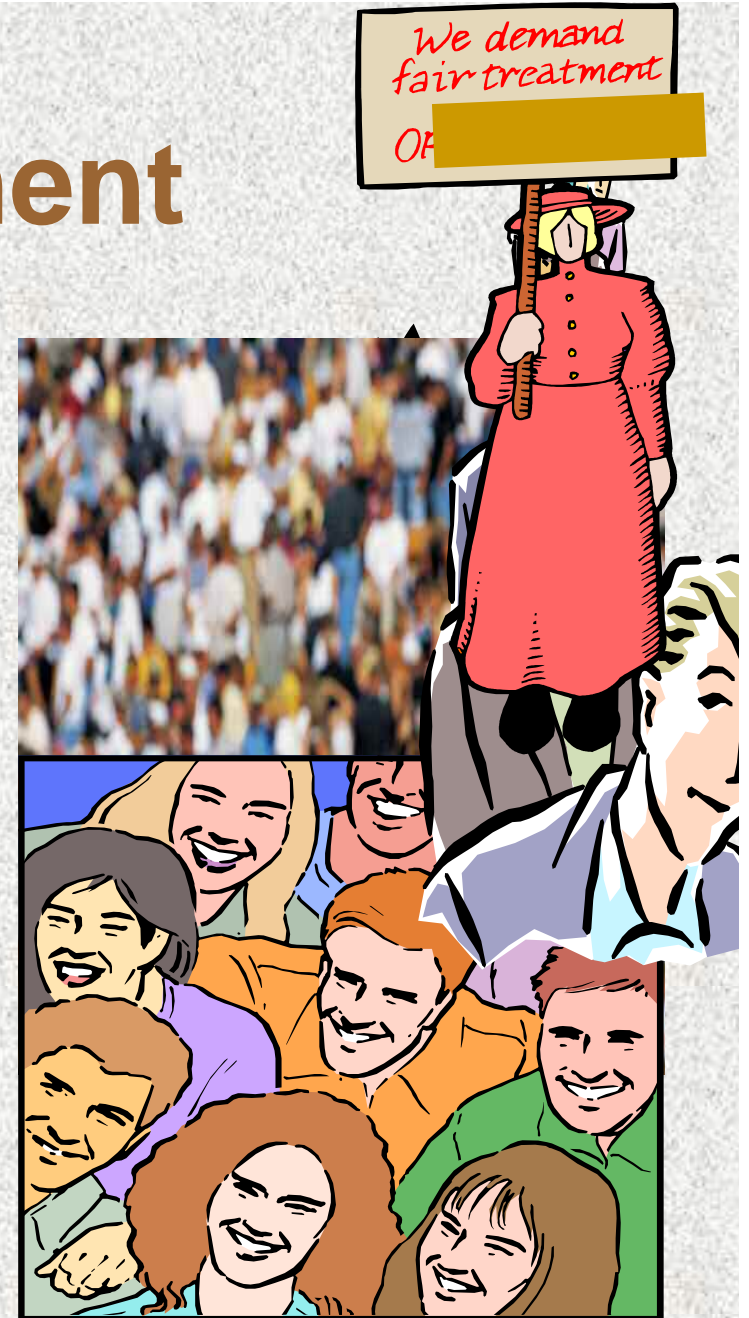
Environmental Justice

- EPA – “**Environmental Justice** is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies...”



Fair Treatment

- **Fair Treatment** means that no group of people, including racial, ethnic, or socioeconomic groups, should bear a “**disparate impacts**”
 - disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal environmental programs and policies.



Meaningful Involvement

- **Meaningful Involvement** means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) the concerns of all participants involved will be considered in the decision-making process; and (4) decision makers seek out and facilitate the involvement of those potentially affected.



Environmental Justice Efforts under the Harding Administration

- Workgroup w/subgroups established 1998
- Some EJ community groups withdrew from process March 1999
- Belief that environmental regulations protect everyone equally may have limited the effectiveness of the group
- Controversial cases may have limited the effectiveness of the group
- Recommended improvements to public outreach

Defining Moments in the History of Environmental Justice

- November 21, 2007 - **Executive Directive** from Governor Granholm
- **Department of Environmental Quality** shall develop and implement a state environmental justice plan to promote environmental justice in Michigan.
- No person may be denied the enjoyment of his or her civil or political rights because of religion, race, color, or national origin.
- Progress report due to Governor July 1, 2008



Governor
Jennifer M. Granholm



Defining Moments in the History of Environmental Justice

- **Marathon Petroleum Corporation LLC
Detroit Heavy Oil Upgrade Project**
- **EJ analysis submitted as part of an air
permit that was issued June 20, 2008**
- **Enhanced public participation**
- **Incorporated a number of community
concerns (not only traditional
permitting criteria)**



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Implementation of Executive Directive 2007-23

Frank Ruswick, Senior Policy Advisor

EAC Recommendations

Michigan EJ Policy

- **Fair treatment:** Civil rights considerations weighed in governmental action
- **Meaningful involvement:** Provides citizens and effective voice in decisions that affect their communities

Principles of Policy

- **Identify and address disproportionate adverse health and environmental effects**
- **Prevent disproportionate impacts**
- **Encourage choices that provide for enduring health while recognizing social well-being and economic health**
- **Effective citizen involvement**

ED 2007 – 23

Environmental Justice Plan

- **Means to identify, address and prevent discriminatory effects and disproportionate impacts**
- **Policies and procedures for state operations**
- **Methods to assert disproportionate impacts and seek action**

Possible Components

- **Disparate impacts**
- **Petition process**
- **Public participation**
- **Integration into DEQ activities**
- **Inter-departmental integration**
- **Role of local units of government**
- **Federal requirements**
- **Monitoring**